



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. 910521.COC

Prior Application: Examiner D. Brittingham; Art Unit 3308

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The Commissioner of Patents and Trademarks
Washington, D. C. 20231

Sir:

This is a request for filing a Continuation application under 37 CFR 1.60 of pending prior application Serial No. 07/714,273, filed on June 12, 1991 of Robert A. Ersek et al, for "TEXTURED MICRO IMPLANTS".

1. Copy of Prior Application As Filed Which Is Attached

I verify that the attached papers are a true copy of what is shown in my records to be the above-identified prior application, including the declaration originally filed (37 CFR 1.60).

The copy of the papers of prior application as filed which are attached are as follows:

19 page(s) of specification;
10 page(s) of claims;
1 page of abstract;
2 sheet(s) of formal drawings;
2 pages of Supplemental Declaration and Power of Attorney.

2. Amendments

A Preliminary Amendment is enclosed. Claims added by the Preliminary Amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.

3. **Petition for Suspension of Prosecution for the Time Necessary to File An Amendment**

Not applicable.

4. **Fee Calculation (37 CFR 1.16)**

CLAIMS AS FILED IN THE PRIOR APPLICATION,
INCLUDING CLAIMS ADDED BY AMENDMENT,
LESS ANY CLAIMS CANCELED BY AMENDMENT BELOW

Basic Fee (Small Entity)	\$345.00
Total number of claims in excess of 20, times \$11.00	\$ 99.00
Total number of independent claims in excess of 3, times \$37.00	\$ 74.00
Multiple dependent claims times \$110.00	\$ 0.00

Total Filing Fee	\$518.00
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5. **Small Entity Status**

A Verified Statement that this filing is by a Small Entity has been filed in the parent application and such status is still proper and desired (37 CFR 1.28(a)).

6. **Drawings**

Copies of the formal drawings are enclosed.

7. **Priority - 35 U.S.C. 119**

Not applicable.

8. **Relate Back - 35 U.S.C. 120**

Amend the specification by inserting before the first line the sentence:

a) This is a Continuation of copending application Serial No. 07/714,273, filed on June 12, 1991, which itself is a continuation-in-part application of application Serial No. 07/282,671, filed December 12, 1988, now abandoned.

9. Inventorship Statement

With respect to the prior copending U. S. application from which this application claims benefit under 35 U.S.C. 120 the inventor(s) in this application is (are) the same.

The inventorship for all the claims in this application are the same.

10. Assignment

The prior application is assigned of record to the inventors, the Assignment having been recorded in the U. S. Patent and Trademark Office on Reel 6294, Frame(s) 0392-0393, on October 1, 1992.

11. Fee Payment Being Made At This Time

Please charge Deposit Account 08-1265 in the amount of \$518.00 to cover the filing fee. A duplicate copy of this sheet is enclosed.

12. Method of Payment of Fees

Please charge Deposit Account 08-1265 in the amount of \$518.00 to cover the filing fee. A duplicate copy of this sheet is enclosed.

13. Authorization to Charge Additional Fees

The Commissioner is hereby authorized to charge additional fees under 37 CFR 1.16(a), (f) or (g) (filing fees) or 37 CFR 1.16(b), (c) and (d) (presentation of extra claims) or 37 CFR 1.17 (application processing fees/extensions of time) which may be required by this paper to Deposit Account No. 08-1265.

14. Power of Attorney

The Power of Attorney in the prior application is to Haugen and Nikolai, P.A., a professional association consisting of:
Orrin M. Haugen, Registration No. 17972;
Thomas J. Nikolai, Registration No. 19283;
Charles G. Mersereau, Registration No. 26205;
Frederick W. Niebuhr, Registration No. 27717; and
Robert C. Klinger, Registration No. 34,365

of 820 International Centre, 900 Second Avenue South, Minneapolis, Minnesota 55402; Telephone No. (612) 339-7461.

The Power appears in the original papers in the prior application.

Address all phone calls and future communications to:
C. G. Mersereau, Registration No. 26205.

15. Maintenance of Copendency of Prior Application

The term of the shortened statutory period for response in the pending prior application extends until May 3, 1993.

16. Conditional Petition for Extension of Time in Prior Application

Not applicable.

17. Abandonment of Prior Application

Not applicable.

I hereby declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: April 22, 1993

C. G. Mersereau

C. G. Mersereau
HAUGEN AND NIKOLAI, P.A.
Attorneys of Record
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Minneapolis, Minnesota 55402-3325
(612) 339-7461

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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re App : Robert A. Ersek et al

April 22, 1993

For : TEXTURED MICRO IMPLANTS

Docket No. 910521.COC

CERTIFICATE OF MAILING VIA EXPRESS MAIL

The Commissioner of Patents and Trademarks

Washington, D. C. 20231

Sir:

I hereby certify that the attached patent application consisting of a request for filing a Continuation application under 37 CFR 1.60 of pending prior application Serial No. 07/714,273, including 19 pages of specification, 10 pages of claims, abstract, one copy of 2 sheets of drawings, a copy of an executed Supplemental Declaration, Power of Attorney and Petition, and a Preliminary Amendment for Application Filed under 37 CFR 1.60, in connection with the above-identified patent application are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Box Patent Application, The Commissioner of Patents and Trademarks, Washington, D. C. 20231,

under Express Mail Post Office to Addressee Label No.
TB17671565XUS.

Respectfully submitted,

HAUGEN AND NIKOLAI, P.A.

Christine M. Zumwalde

Christine M. Zumwalde
Secretary to C. G. Mersereau
Attorneys for Applicant(s)
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